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June 13, 2024

VIA ECF

Hon. Mark W. Pedersen, Magistrate Judge
United States District Court
Western District of New York
100 State Street
Rochester, New York 14614

Re: *Singleton v. The City of Geneva, et al.*,
Civil Action No.: 6:23-cv-06359-EAW-MJP
Letter Request for an Extension of the Scheduling Order

Dear Judge Pedersen:

This firm represents the City of Geneva (the “City”) and Detective Steven Vine (“Det. Vine”) (collectively, “Defendants”) in the above referenced matter. Please accept this letter as a request for an extension of the discovery deadlines in the current scheduling order based upon good cause. The parties have conferred and Plaintiff consents to the present request.

The parties have been working diligently to complete paper discovery. As set forth in Defendants’ previous correspondence dated April 9, 2024, the parties have served multiple subpoenas/authorizations upon certain third parties, including the Ontario County District Attorney’s Office, the Ontario County Sheriff’s Office, and the NYS Department of Corrections and Community Supervision (“DOCCS”). As of the date of this letter, responsive records have been received from the Ontario County District Attorney’s office and Ontario County Sheriff’s department. DOCCS records remain outstanding. In addition, after receipt of the records from the Ontario County Sheriff’s Office, Defendants requested an authorization for the release of records upon Plaintiff’s cell phone carrier.

Plaintiff’s health records from DOCCS and cell phone records remain pending and outstanding. It is Defendants’ understanding that Plaintiff already sent an authorization for his medical records from DOCCS in April and has yet to receive a response. As such, Defendants intend to send a separate authorization to DOCCS along with a judicial subpoena in an attempt to facilitate production of the DOCCS records to progress matters forward. Defendants will send the Court the proposed judicial subpoena once in receipt of the authorization.

Defendants have also been diligently working to finish their production to Plaintiff notwithstanding the recent turnover of personnel within the City and the police department and have been obtaining additional records, which Defendants intend to promptly produce. A production will be made by Defendants on or before June 17, 2024.

In light of the outstanding records the parties await from third parties, Defendants respectfully submit that there is good cause for granting a sixty (60) day extension of the discovery deadlines as follows:

- Paper discovery. The parties shall complete all paper discovery no later than August 16, 2024;
- Depositions. The parties shall complete all depositions no later than December 16, 2024;
- Close of discovery. The parties shall complete all discovery by February 14, 2025.

Defendants have made one prior request for an extension of certain deadlines in the discovery order on April 9, 2024, which was granted. Defendants thank the Court for its time and consideration of this request and are available at the Court's convenience to address any questions.

Respectfully submitted,



Anna M. Patton

CC: All Counsel of Record via ECF